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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/632,942	07/31/2003	Asaf Atzmon	P-ORC-008-US	4966

66905   7590   09/14/2010
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EXAMINER
BANTAMOI, ANTHONY

ART UNIT	PAPER NUMBER
2423	

MAIL DATE	DELIVERY MODE
09/14/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	10/632,942	ATZMON ET AL.
	Examiner	Art Unit	
	ANTHONY BANTAMOI	2423	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>04 July 2010</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-52</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-52</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail. Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/23/2010 has been entered.

Response to Arguments

Applicant's arguments with respect to claims 1 and 27 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-7, 10-22, 25-33, 36-48, and 51-52 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication 2004/0034873 to Zenoni. (Zenoni), in view of US Patent 6,414,914 to Lee et al. (Lee (Previously cited)).

Regarding claims 1, 27, Zenoni teaches a method for multicasting (Para. 0047, ll. 12-14) an event of interest (Para. 0041, ll. 21-24), the method comprises the steps of: detecting the <u>detecting including automatically identifying the event of interest based on</u>

according to predefined criteria (figure 5, steps 512, & 513); and multicasting (Para.

0047, ll. 12-14) at least one media stream of interest that comprises the automatically-

identified event of interest (figure 6, step 608, 610, 618, & 620 (receives and displays

event notification upon user selection displays event of interest)), but Zenoni is silent on

detecting including automatically identifying the event of interest based on image

analysis or on audio analysis of the media stream.

      Lee teaches detecting including automatically identifying the event of interest

based on image analysis or on audio analysis of the media stream (Abstract ,entire).

      Therefore it would have been obvious to one of ordinary skill in the art at the time

the invention was made to modify the event detection method of Zenoni to include

automatically identifying the event of interest based on image analysis or on audio

analysis of the media stream as taught by Lee for the benefit of filtering content using

predefined criteria or policy thereby enforcing content personalization which eventually

increases user convenience.

      Regarding claim 2, Zenoni teaches the method further comprising multicasting

(Para. 0047, ll. 12-14) the received media stream (figure 6, step 608, 610, 618, & 620

(receives and displays event notification upon user selection displays event of interest)).

      Regarding claim 3, Zenoni teaches the method further comprising temporarily

storing the received media stream (figure 1, label 113, Para. 0025, ll. 7-11 (storage 113

is temporary because it is constantly compared and updated to match user profile)).

      Regarding claim 4, Zenoni teaches the method further comprising multicasting

the received media stream substantially in parallel with said temporarily storing (Para.

0046, ll. 1-8 (because user can instantly switch between the two streams are inherently received in parallel)).

Regarding claim 5, Zenoni teaches the method wherein the step of detecting comprises analyzing the received media to check a compliance of a received media stream segment with an event detection criterion (Para. 0042, 1-12, & figure 5, steps 512-513).

Regarding claim 6, Zenoni is silent on the method wherein the event detection criterion is responsive to a level of noise signal exceeds a threshold.

In a similar field of endeavor Lee teaches the method wherein the event detection criterion is responsive to a level of noise signal exceeds a threshold (col. 3, 43-45, & figure 1A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the detection method of Zenoni to include the method wherein the event detection criterion is responsive to a level of noise signal exceeds a threshold as taught by Lee in order to support automatic selection of scenes or sounds of interest for media replay.

Regarding claim 7, Zenoni is silent on the method wherein the event detection criterion is responsive to a level of audio signal within predefined frequency.

In a similar field of endeavor Lee the method wherein the event detection criterion is responsive to a level of audio signal within predefined frequency (col. 4, 40-42, & figure 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the detection method of Zenoni to include the method wherein the event detection criterion is responsive to a level of audio signal within predefined frequency as taught by Lee in order to support automatic selection of scenes or sounds of interest for media replay.

Regarding claim 11, Zenoni teaches the method further comprising a step of notifying a client about an occurrence of an event of interest (Para. 0028, II. 2-11(event notification trigger (ENT (141)))).

Regarding claim 10, Zenoni teaches the method wherein the step of detecting comprises image processing of the received media stream (figure 5, steps 512-513).

Regarding claim 12, Zenoni teaches the method wherein the step of notifying comprising displaying at least one symbol (Para. 0028, II. 5-7 (link meets symbol)).

Regarding claim 13, Zenoni teaches the method wherein the step of notifying comprises displaying at least one image representative of the event of interest (figure 2D, label 213).

Regarding claim 14, Zenoni teaches the method wherein the step of notifying comprises sending to the client information for allowing the client to tune to a multicast media stream of interest (figure 2A, label 202).

Regarding claim 15, Zenoni teaches the method wherein the method comprises converting a media stream of interest to a sequence of images representative of the media stream of interest, and displaying the sequence of images, whereas the

sequence of images is formatted such as to be processed by a client device unit other than a decoder (figure 2D, labels 212-213 (web browser is different from a decoder)).

Regarding claim 16, Zenoni teaches the method wherein the sequence of images is displayed at a client device in addition to another media stream (figure 2A, label, 203, & figure 2D, label 213).

Regarding claim 17, Zenoni teaches the method wherein a media stream of interest comprises multiple events of interest that occurred during a predefined period (Para. 0041, ll. 24-40).

Regarding claim 18, Zenoni teaches the method wherein a media stream of interest comprises multiple events of interest that are associated with a certain channel or program (Para. 0041, ll. 24-40, & figure 2A, label 204).

Regarding claim 19, Zenoni teaches the method wherein a media stream of interest comprises multiple events of interest of a certain type (Para. 0041, ll. 21-24).

Regarding claim 20, Zenoni teaches the method further comprising a step of updating media streams of interest according to update parameters (Para. 0041, ll. 21-28).

Regarding claim 21, Zenoni teaches the method further comprising a step of updating a media stream of interest in response to client feedback (Para. 0041, ll. 20-23).

Regarding claim 22, Zenoni teaches the method further comprising a step of updating a media stream of interest in response to client actions (Para. 0041, ll. 20-23).

Regarding claim 25, Zenoni teaches the method wherein the client is notified about an event of interest according to notification rules, whereas at least one notification rule is defined by the client (Para. 0041, II. 21-28).

Regarding claim 26, Zenoni teaches the method wherein a client receives a first media stream (figure 2A, label 203) and is notified about an event of interest that occurred in a second media stream (figure 2A, label 204).

Regarding claim 28, Zenoni teaches the system further adapted to multicast (Para. 0047, II. 12-14) the received media stream (figure 6, step 608, 610, 618, & 620 (receives and displays event notification upon user selection displays event of interest)).

Regarding claim 29, Zenoni teaches the system further comprising means for temporarily storing the received media stream (figure 1, label 113, Para. 0025, II. 7-11 (storage 113 is temporary because it is constantly compared and updated to match user profile)).

Regarding claim 30, Zenoni teaches the system further adapted to multicast the received media stream substantially in parallel with said temporarily storing (Para. 0046, II. 1-8 (because user can instantly switch between the two streams are inherently received in parallel)).

Regarding claim 31, Zenoni teaches the system wherein the detecting means analyze the received media to check a compliance of a received media stream segment with an event detection criterion (Para. 0042, 1-12, & figure 5, steps 512-513).

Regarding claim 32, Zenoni is silent on the system wherein the event detection criterion is responsive to a level of noise signal exceeds a threshold.

In a similar field of endeavor Lee teaches the system wherein the event detection criterion is responsive to a level of noise signal exceeds a threshold (col. 3, 43-45, & figure 1A).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the detection system of Zenoni to include the system wherein the event detection criterion is responsive to a level of noise signal exceeds a threshold as taught by Lee in order to support automatic selection of scenes or sounds of interest for media replay.

Regarding claim 33, Zenoni is silent on the system wherein the event detection criterion is responsive to a level of audio signal within predefined frequency.

In a similar field of endeavor Lee the system wherein the event detection criterion is responsive to a level of audio signal within predefined frequency (col. 4, 40-42, & figure 3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the detection system of Zenoni to include the system wherein the event detection criterion is responsive to a level of audio signal within predefined frequency as taught by Lee in order to support automatic selection of scenes or sounds of interest for media replay.

Regarding claim 36, Zenoni teaches the system wherein the detection means image process the received media stream to detect an event of interest (figure 5, steps 512-513).

Regarding claim 37, Zenoni teaches the system further comprising means for notifying a client about art occurrence of an event of interest (Para. 0028, ll. 2-11(event notification trigger (ENT (141)))).

Regarding claim 38, Zenoni teaches the system wherein the client is notified by a display of at least one symbol (Para. 0028, ll. 5-7 (link meets symbol)).

Regarding claim 39, Zenoni teaches the system wherein the client is notified by a display of at least one image representative of the event of interest (figure 2D, label 213).

Regarding claim 40, Zenoni teaches the system wherein notification means send to clients information for allowing the client to tune to a multicast media stream of interest (figure 2A, label 202).

Regarding claim 41, Zenoni teaches the system wherein the system further comprises means for converting a media stream of interest to a sequence of images representative of the media stream of interest, and whereas the means for notifying are operable to notify a client by a display of a sequence of images, whereas the sequence of images is formatted such as to be processed by a client device unit other than a decoder (figure 2D, labels 212-213 (web browser is different from a decoder)).

Regarding claim 42, Zenoni teaches the system wherein the sequence of images is displayed in addition to another media stream (figure 2A, label, 203, & figure 2D, label 213).

Regarding claim 43, Zenoni teaches the system wherein a media stream of interest comprises multiple events of interest that occurred during a predetermined period (Para. 0041, ll. 24-40).

Regarding claim 44, Zenoni teaches the system wherein a media stream of interest comprises multiple events of interest that are associated with a certain channel or program (Para. 0041, ll. 24-40, & figure 2A, label 204).

Regarding claim 45, Zenoni teaches the system wherein a media stream of interest comprises multiple events of interest of a certain type (Para. 0041, ll. 21-24).

Regarding claim 46, Zenoni teaches the system further comprising means for updating media streams of interest according to update parameters (Para. 0041, ll. 21-28).

Regarding claim 47, Zenoni teaches the system wherein the updating means are responsive to client feedback (Para. 0041, ll. 20-23).

Regarding claim 48, Zenoni teaches the system wherein the updating means are responsive to client actions (Para. 0041, ll. 20-23).

Regarding claim 51, Zenoni teaches the system capable of notifying a client about an event of interest according to notification rules, whereas at least one notification rule is defined by the client (Para. 0041, ll. 21-28).

Regarding claim 52, Zenoni teaches the system capable of notifying a client about an event of interest that occurred in a media stream other than the media stream to which the client device is tuned to (figure 2A, labels 203, & 204).

Claims 8-9, and 34-35 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Zenoni, in view of Lee, in view of US 6,543,053 to Li et al. (Li).

Regarding claim 8, Zenoni teaches detecting an event in a media stream based

on criteria (figure 5, steps 512-513).

Zenoni and Lee are silent on the method wherein the step of detecting comprises

monitoring instant replay requests associated with a certain media stream, said

requests being generated within a predefined time window.

In a similar field of endeavor Li teaches monitoring request for a particular media

stream wherein multiple requesters are grouped together to receive a multicast of the

requested stream as the grouping timer expires (col. 4, ll. 1-5, 8-10, figure 4, entire, &

Abstract, ll. 3-8) which meets "the method wherein the step of detecting comprises

monitoring instant replay requests associated with a certain media stream, said

requests being generated within a predefined time window".

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to modify the monitoring method of Zenoni and Lee to

include the method wherein the step of detecting comprises monitoring instant replay

requests associated with a certain media stream, said requests being generated within

a predefined time window as taught by Li in order to support stream sharing wherein the

number of users sharing a video stream can be increased or decreased based on the

timer.

Regarding claim 9, Zenoni and Lee are silent on the method wherein the step of

detecting comprises monitoring media distribution resource allocation.

In a similar field of endeavor Li teaches the method wherein the step of detecting comprises monitoring media distribution resource allocation (figure 4, step 406 (checks to see if the stream (resource) is available)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the monitoring method of Zenoni and Lee i to include the method wherein the step of detecting comprises monitoring media distribution resource allocation as taught by Li in order to support stream sharing wherein the number of users sharing a video stream can be increased or decreased based on the timer.

Regarding claim 34, Zenoni teaches detecting an event in a media stream based on criteria (figure 5, steps 512-513), but Zenoni and Lee are silent on the system wherein the detection means are monitor instant replay requests associated with a certain media stream, said requests being generated with a predefined time window.

In a similar field of endeavor Li teaches monitoring request for a particular media stream wherein multiple requesters are grouped together to receive a multicast of the requested stream as the grouping timer expires (col. 4, ll. 1-5, 8-10, figure 4, entire, & Abstract, ll. 3-8) which meets "the system wherein the detection means are monitor instant replay requests associated with a certain media stream, said requests being generated with a predefined time window".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the monitoring system of Zenoni and Lee to include the system wherein the detection means are monitor instant replay requests

associated with a certain media stream, said requests being generated with a predefined time window as taught by Li in order to support stream sharing wherein the number of users sharing a video stream can be increased or decreased based on the timer.

Regarding claim 35, Zenoni and Lee are silent on the system wherein the detection means monitor media distribution resource allocation.

In a similar field of endeavor Li teaches the system wherein the detection means monitor media distribution resource allocation (figure 4, step 406 (checks to see if the stream (resource) is available)).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the detection system of Zenoni and Lee to include the system wherein the detection means monitor media distribution resource allocation as taught by Li in order to support stream sharing wherein the number of users sharing a video stream can be increased or decreased based on the timer.

Claims 23-24, and 49-50 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zenoni, in view of Lee, in view of US 2002/0100052 to Daniels. (Daniels).

Regarding claim 23, Zenoni teaches receiving multicast streams that comprise events of interest (Para. 0041, ll. 21-24, & Para. 0047, ll. 12-14), but Zenoni and Lee are silent on the method further comprising a step of preventing additional received media streams that comprise an event of interest once the event of interest is streamed within a media stream of interest.

In analogous art Daniels teaches switching from one stream to another to prevent redundancy (Para. 0145, II. 13-18) which meets "the method further comprising a step of preventing additional received media streams that comprise an event of interest once the event of interest is streamed within a media stream of interest".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Zenoni and Lee to include the method further comprising a step of preventing additional received media streams that comprise an event of interest once the event of interest is streamed within a media stream of interest as taught by Daniels in order to increase viewer satisfaction wherein a content already viewed will be automatically switched to another content that has not yet been viewed.

Regarding claim 24, Zenoni teaches receiving multicast streams that comprise events of interest (Para. 0041, II. 21-24, & Para. 0047, II. 12-14), but Zenoni and Lee are silent on the method further comprising a step of switching a client device to another stream preventing additional media streams that comprise an event of interest once the event of interest is received within a media stream of interest.

In analogous art Daniels teaches switching from one stream to another to prevent redundancy (Para. 0145, II. 13-18) which meets "the method further comprising a step of switching a client device to another stream preventing additional received media streams that comprises an event of interest once the event of interest is received within a media stream of interest".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the method of Zenoni and Lee to include the method further comprising a step of switching a client device to another stream preventing additional received media streams that comprises an event of interest once the event of interest is received within a media stream of interest as taught by Daniels in order to increase viewer satisfaction wherein a content already viewed will be automatically switched to another content that has not yet been viewed.

Regarding claim 49, Zenoni teaches receiving multicast streams that comprise events of interest (Para. 0041, ll. 21-24, & Para. 0047, ll. 12-14), but Zenoni and Lee are silent on the system further comprising a step of preventing additional received media streams that comprise an event of interest once the event of interest is streamed within a media stream of interest.

In analogous art Daniels teaches switching from one stream to another to prevent redundancy (Para. 0145, ll. 13-18) which meets "the system further comprising a step of preventing additional received media streams that comprise an event of interest once the event of interest is streamed within a media stream of interest".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Zenoni and Lee to include the system further comprising a step of preventing additional received media streams that comprise an event of interest once the event of interest is streamed within a media stream of interest as taught by Daniels in order to increase viewer satisfaction wherein a

content already viewed will be automatically switched to another content that has not yet been viewed.

Regarding claim 50, Zenoni teaches receiving multicast streams that comprise events of interest (Para. 0041, ll. 21-24, & Para. 0047, ll. 12-14), but Zenoni and Lee are silent on the system further comprising a step of switching a client device to another stream preventing additional media streams that comprise an event of interest once the event of interest is received within a media stream of interest.

In analogous art Daniels teaches switching from one stream to another to prevent redundancy (Para. 0145, ll. 13-18) which meets "the system further comprising a step of switching a client device to another stream preventing additional received media streams that comprises an event of interest once the event of interest is received within a media stream of interest".

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the system of Zenoni and Lee to include the system further comprising a step of switching a client device to another stream preventing additional received media streams that comprises an event of interest once the event of interest is received within a media stream of interest as taught by Daniels in order to increase viewer satisfaction wherein a content already viewed will be automatically switched to another content that has not yet been viewed.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANTHONY BANTAMOI whose telephone number is (571)270-3581. The examiner can normally be reached on Monday - Friday 8-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Koenig can be reached on (571) 272 7296. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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